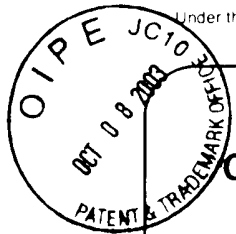


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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/764,445
Filing Date	January 19, 2001
Examiner Name	D. Truong
First Named Inventor	Edward W. MERRILL et al.
Group Art Unit	1711
Attorney Docket Number	37697-0033

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB.29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☒ Amendment/Reply 10/10/2003 DTESSEM1 00000023 09764445
- ii. ☒ Affidavit(s)/Declaration(s) 01 FC:1861 770.00 00
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-1641
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 770.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

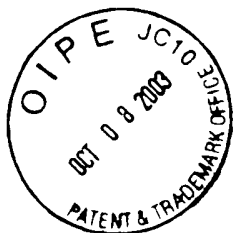
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	John P. Isacson	Registration No. (Attorney/Agent)	33,715
Signature		Date	October 8, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on \_\_\_\_\_

Name (Print /Type)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No: 37697-0033

Applicant(s): Edward W. MERRILL *et al.* Confirmation No.: 8881  
Serial No.: 09/764,445 Examiner: Duc Truong  
Filing Date: January 19, 2001 Group Art Unit: 1711  
Title: RADIATION AND MELT TREATED ULTRA HIGH MOLECULAR  
WEIGHT POLYETHYLENE PROSTHETIC DEVICES

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TC 1700

**REQUEST FOR RECONSIDERATION UNDER 37 CFR §1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Mails Stop RCE

Sir:

Applicants herein respond to the final Office Action mailed July 8, 2003 (Paper No. 19). Applicants believe that no extension of time is required, but expressly request an extension, and provide an authorization to charge our firm deposit account, should an extension be needed. Please debit any underpayments, or credit any overpayments, to firm deposit account no. 08-1641.

Applicants request that examination of this the application be conducted with the "special dispatch" required by 37 CFR § 1.607(b); MPEP §§ 708.01(F), 2307.